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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED
HARRISBURG, PA

JAN 17 2003

MARY E. SANDREA, CLERK
Per Deputy Clerk

DAVID B. CORNEAL and : NO. 1:CV-00-1192
SANDRA Y. CORNEAL, :
Plaintiffs : JURY TRIAL DEMANDED
v. :
JACKSON TOWNSHIP, *et al.*, :
Defendants :
RAMBO, J.

**MOTION FOR ENLARGEMENT OF TIME TO FILE BRIEF IN SUPPORT
OF MOTION FOR RECONSIDERATION**

AND NOW, Plaintiff David B. Corneal and Sandra Y. Corneal, by and through counsel, move for an enlargement of time within which to submit their brief in support of their motion for reconsideration, and in support thereof state as follows:

1. This matter arises out of Plaintiffs' complaints against Jackson Township, W. Thomas Wilson, Michael Yoder, Ralph Weiler, Ann L. Wirth, David Van Dommelen and Barry Parks, asserting violation of Plaintiffs' substantive and procedural due process rights pursuant to 42 U.S.C. § 1983, and state law claims for violation of Pennsylvania constitutional rights, intentional interference with contractual relations and civil conspiracy.

2. On May 23, 2002, Defendants submitted a Motion for Summary Judgment on all counts, and filed a brief in support thereof on or about June 6, 2002.

3. On or about June 24, 2002, the Corneals filed a Cross-Motion for Summary Judgment and combined papers in support of their Motion in Opposition to the Defendants' Motion for Summary Judgment.

4. On December 23, 2002, this Court entered its Order denying Corneals' Motion for Summary Judgment and granting, in part, the Defendants' Motion for Summary Judgment.

5. Although the Clerk's Office entered the Court's Opinion and Order on December 23, 2002, copies of the Order and Opinion were not distributed to counsel for the Corneals by either facsimile or U.S. Mail until December 30, 2002. In light of the unusually short period of time available to Plaintiffs to consider the Court's Opinion and Order, on January 8, 2003, Plaintiffs filed a precautionary Motion for Reconsideration of the Court's Order granting Defendant's Motion for Summary Judgment on Plaintiffs' Procedural Due Process Claims under the U.S. and Pennsylvania Constitutions, on Plaintiffs' claim for intentional interference with contractual relations, and on Plaintiffs' claim against the Township for civil conspiracy.

6. Plaintiffs' now file this Motion for Enlargement of Time to file a brief in support of their Motion for Reconsideration for one week, to January 30, 2003.

7. Counsel for Plaintiffs will be unavoidably detained as a result of pre-existing and unchangeable personal obligations during the week of January 20, 2003.

8. In addition, Plaintiffs' counsel's law firm is undergoing a complete upgrade of its entire computer network on January 17, 18 and 19, 2003.

9. Plaintiffs therefore request a reasonable extension of one week within which to file the brief in support of their motion for reconsideration.

10. The grant of this Motion will not in any way interfere with any of the case management deadlines established in the Court's Scheduling Orders dated December 30, 2002, and January 3, 2003.

11. Counsel for Plaintiffs sought the concurrence of Anthony R. Sherr, Esq., counsel for Defendants. Mr. Sherr was unavailable and did not return counsel's telephone call before Plaintiffs filed the instant Motion. Counsel's concurrence, therefore, is deemed denied.

WHEREFORE, Plaintiffs David B. Corneal and Sandra Y. Corneal respectfully request this Court enter the attached Order granting their Request for Enlargement of Time within which to file the Brief in Support of the Motion for Reconsideration until January 30, 2003.

Respectfully submitted,

ECKERT SEAMANS CHERIN & MELLOTT, LLC



Bridget E. Montgomery, Esq.

Supreme Ct. I.D. No. 56105

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Attorneys for David B. Corneal and Sandra Y. Corneal

Date: 1/17/03

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FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

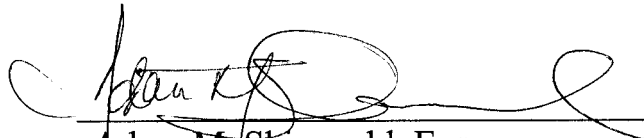
DAVID B. CORNEAL and	:	NO. 1:CV-00-1192
SANDRA Y. CORNEAL,	:	
	:	
Plaintiffs	:	JURY TRIAL DEMANDED
	:	
v.	:	
	:	RAMBO, J.
	:	
JACKSON TOWNSHIP, <i>et al.</i> ,	:	
Defendants	:	

CERTIFICATE OF NON-CONCURRENCE

I hereby certify that counsel for Plaintiffs sought the concurrence of Anthony R. Sherr, Esq., counsel for Defendants. Mr. Sherr was unavailable and did not return counsel's telephone call before Plaintiffs filed the instant Motion.

Respectfully submitted,

ECKERT SEAMANS CHERIN & MELLOTT, LLC



Adam M. Shienvold, Esq.
Supreme Ct. I.D. No. 81941

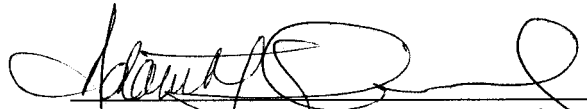
Date: 1/17/03

Attorneys for David B. Corneal and Sandra Y.
Corneal

CERTIFICATE OF SERVICE

I, Bridget E. Montgomery, Esquire, hereby certify that I am this day serving a copy of the foregoing document via First Class U.S. Mail, which service satisfies the requirements of the Federal Rules of Civil Procedure and Middle District Local Rules of Court, addressed as follows:

Anthony R. Sherr, Esquire
Mayers, Mennies & Sherr, LLP
3031 Walton Road, Building A
Suite 330, P.A. Box 1547
Blue Bell, PA 19422-0440



Bridget E. Montgomery, Esquire

Date: 1/17/03

Attorney for Plaintiffs,
David B. and Sandra Y. Corneal